

[Act 1997 No 137]



New South Wales

Casino Control Amendment Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Casino Control Act 1992* so as:

- (a) to increase the maximum term of a casino employee's licence to 3 years, and
 - (b) to extend the principle of cost recovery in connection with certain investigations under the Act, and
 - (c) to extend the area in connection with which exclusion orders relating to the casino can be made at the direction of the Commissioner of Police, and
 - (d) to make the following minor amendments:
 - to adjust the terminology used in a provision of the Act relating to slot machines,
 - to specify the circumstances in which a deputy of an appointed member of the Casino Control Authority ceases to hold office.
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Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Casino Control Act 1992* set out in Schedule 1.

Term of casino employees' licences

At present, a casino employee's licence remains in force for 12 months, unless it is earlier cancelled or otherwise ceases to be in force. The Bill amends section 55 of the Act to extend this period to 3 years (see **Schedule 1 [4]**). The Bill also makes it clear, as a transitional matter, that this extension applies also to current licences (see **Schedule 1 [8]**).

Cost recovery of investigations and inquiries

At present, section 16 of the Act provides for the recovery of the reasonable costs incurred by the Casino Control Authority and the Director of Casino Surveillance in investigating and inquiring into an application for a casino licence. However, this section does not apply to the costs incurred under section 35 in investigating or inquiring into a major change that involves a person becoming a close associate of a licensed casino operator. The Bill inserts a new section 35A, which is largely modelled on section 16. The new section requires payment of the reasonable costs of investigating an application for the Authority's approval to the change (or of inquiring into the change where approval is not required) (see **Schedule 1 [3]**).

Exclusion orders

At present, exclusion orders can be made in respect of a casino. However, a "casino" is limited to the area defined under the provisions of the Act, and does not apply to substantial areas within the casino complex. The Bill amends section 81 of the Act to enable regulations to be made prescribing additional areas as forming the casino precinct, and to empower the Commissioner of Police to direct that an exclusion order be made applying to the casino precinct (as well as to the casino itself) (see **Schedule 1 [5]**).

Slot machines

At present, section 8 of the Act refers to slot machines. The Bill amends section 8 to replace this with the expression “gaming machine”, defined consistently with the definition of poker machine in the *Registered Clubs Act 1976* (see **Schedule 1 [1]** and **[2]**).

Deputies of appointed members

At present, clause 6 of Schedule 1 to the Act empowers the Minister to appoint and revoke the appointment of deputies for appointed members of the Casino Control Authority. The Bill amends this clause to make it clear that an appointment of a deputy can be for a specified term, and to set out the circumstances in which the position of a deputy becomes vacant (see **Schedule 1 [6]**). Those circumstances are similar to those in which the office of an appointed member becomes vacant, as set out in clause 7 of that Schedule.

Savings and transitional matters

In addition to the transitional matter mentioned above in connection with casino employees’ licences, the Bill amends clause 1 of Schedule 4 to the Act, thus enabling the regulations to cover matters of a savings or transitional nature consequent on the enactment of the proposed Act (see **Schedule 1 [7]**).